

REMARKS

Claims 1, 9 and 10 have been amended.

The Examiner has rejected applicant's claims 1, 6, 8-10 and 21-24 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner asserts that the second discrimination means is unclear. The Examiner assumed that the second discrimination means discriminates if the address corresponds to a stored address. The applicant appreciates this assumption by the Examiner for examination purposes since this assumption is correct. Claim 1 has been amended to specify "second discrimination means for discriminating if the terminal of an address of the received data corresponds to a stored address." Claims 9 and 10 have been similarly amended. Support for this amendment is set forth in the specification on page 15, line 21 to page 16, line 7, and Figures 5-7 of the drawings, wherein the disclosure provides that it is determined whether the received sub address is correlated with a public key (i.e., the sub address corresponds to a stored address). Accordingly, it is submitted that the claims, as amended, are sufficiently clear so as to satisfy the requirements of 35 U.S.C. §112, second paragraph. It is therefore requested that the rejection of the claims under 35 U.S.C. §112, second paragraph, be withdrawn.

The Examiner has rejected applicant's claims 1, 6, 9, 10, 21 and 23 under 35 U.S.C. §102(e) as being anticipated by the Leeds patent (US 6,393,465). The Examiner has also rejected applicant's claims 8, 22 and 24 under 35 U.S.C. §103(a) as being unpatentable over the Leeds patent in view of the Perlman patent (US 6,363,480). With respect to applicant's claims, as amended, these rejections are respectfully traversed.

Applicant's independent claims 1, 9 and 10 have been amended to better define applicant's invention. More particularly, amended independent claim 1 now recites a communication apparatus for transferring data from a first network to a second network in which a first discrimination means discriminates if the received data is a confidential data, and a second discrimination means discriminates if the terminal of an address of the received data corresponds to a stored address. Claim 1 further recites a selection means for selecting a method of transferring the received data from a method of transferring the received data attached with E-mail to said terminal, a method of encrypting the received data and transferring the encrypting data attached with E-mail to said terminal or a method of storing the received data in a predetermined memory and transferring information to be used for access to the stored received data attached with E-mail to said terminal to, in accordance with the result of the discrimination by said first discrimination means and said second discrimination means. Claim 1 also recites a control means for controlling to transfer the received data by using the method selected by said selection means. Claims 9 and 10 have been similarly amended.

Such constructions are not taught or suggested by the cited art of record. In particular, the Leeds patent teaches that upon transmission of an e-mail to a recipient, an authentication server 700 checks whether the e-mail is "spam" e-mail and forwards the e-mail to the intended recipient if it is not spam, but does not forward the e-mail if it has been determined to be spam. Thus, the Leeds patent does not teach the feature of applicant's claimed invention of discriminating if the received data (i.e., the e-mail) is confidential data, and also does not teach the feature of selecting a method of transferring the received data from three different methods: (1) transferring the received data to the recipient (i.e., as is); (2) encrypting the received data and then transferring

the encrypted data attached as an e-mail to the recipient; or (3) not transferring the received data, but providing the recipient with information to the recipient as to how to access the received data.

More particularly, the Leeds patent does not disclose applicant's first claimed feature of discriminating if the received data is confidential data. The Examiner refers to col. 4, lines 24-35 of the Leeds patent for allegedly disclosing this feature. However, this section in the patent provides for general techniques for reducing the amount of junk e-mail and does not at all relate to assessing if the received data (e.g., an e-mail message) represents confidential information.

The Leeds patent further does not disclose applicant's claimed feature of selecting a method of transferring the received data from one of three different types of methods, as listed above. Instead, the Leeds patent discloses selection from two different methods of transferring the e-mail message: (1) supplying it to the intended recipient as is (when it is determined to not represent spam); or (2) not supplying it to the intended recipient (when it is spam). The Leeds patent does not at all disclose or even suggest applicant's claimed method of encrypting the received data and then supplying to the recipient the encrypted data as an attachment to an e-mail. In the Office Action, the Examiner refers to column 6, line 66 to column 7, line 51 for allegedly disclosing the various transfer methods of applicant's claimed invention. However, based upon a detailed review of the patent, neither this section in the Leeds patent nor any other section in the patent discloses encrypting the e-mail message. Moreover, the "unique identification code" discussed in the Leeds patent does not correspond to applicant's claimed encrypting method. Rather, the identification code is used by the sender of the e-mail by incorporating it within the e-mail message in order to identify that the e-mail message is not

spam, as discussed in column 7, lines 28 to 51. However, the identification code does not indicate that the e-mail message is confidential nor does it relate at all to encrypting the e-mail message prior to forwarding it to the intended recipient. Hence, the Leeds patent does not disclose these particular features of applicant's claimed invention.

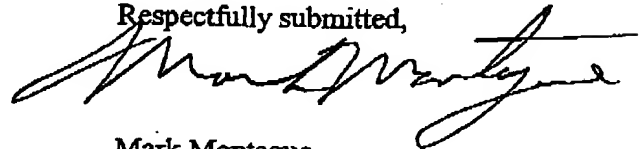
Applicant's amended independent claims 1, 9 and 10, and their respective dependent claims, in reciting such features, thus patentably distinguish over the Leeds patent. With respect to the Perlman patent, this patent adds nothing to the Leeds patent to change this conclusion. It is therefore requested that the rejection of claims 1, 6, 9, 10, 21 and 23 under 35 U.S.C. §102(e) and the rejection of claims 8, 22 and 24 under 35 U.S.C. §103(a) be withdrawn.

In view of the above, it is submitted that applicant's claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is respectfully requested.

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Respectfully submitted,



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